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Arrow Financial Services, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

HERBERT H. HAPIN,

Plaintiff,

vs.

ARROW FINANCIAL
SERVICES, L.L.C.

Defendant.

CASE NO.: C 06-0637-MJJ

**ADMINISTRATIVE REQUEST AND
[PROPOSED] ORDER
VACATING CASE MANAGEMENT
CONFERENCE PENDING RULING
ON MOTION TO DISMISS**

WHEREAS, Defendant has filed a Motion to Dismiss which is presently set for a hearing before this Court on April 18, 2006, and

WHEREAS, the deadline to meet and confer regarding the ADR process is scheduled for April 11, 2006, and

WHEREAS, the last day to exchange initial disclosures, file a Rule 26(f) report and file a Case Management Conference Statement is April 25, 2006, and

WHEREAS, the Initial Case Management Conference in this matter is scheduled for May 2, 2006, and

WHEREAS, because the case is not at issue, the defendant does not believe that it will be fruitful to meet and confer regarding the ADR process, prepare initial disclosures, a Rule 26(f) report or a Joint Case Management Conference Statement until this Court has ruled on the defendant's pending Motion to Dismiss, and

WHEREAS, defendant has requested that plaintiff stipulate to a request that the Court should vacate the current Case Management Conference and the related deadlines, but plaintiff has refused to agree.

The defendant therefore respectfully requests, pursuant to Local Rule 7-11, that the Court enter the Order submitted herewith, vacating the Case Management Conference and related dates.

DATED: April 6, 2006

WINEBERG, SIMMONDS & NARITA, LLP
TOMIO B. NARITA
JEFFREY A. TOPOR

By: /Tomio B. Narita/
Tomio B. Narita

Attorneys for Defendant

1 The Court, having reviewed the Administrative Request of the defendant,
2 and good cause appearing, hereby ORDERS as follows:

3 1. The Case Management Conference scheduled for April 25, 2006 in
4 this matter is hereby VACATED. The deadlines contained in the
5 Initial Scheduling Order for the parties to meet and confer regarding
6 ADR selection, initial disclosures, preparation and filing of Rule
7 26(f) reports, and their Joint Case Management Statements are
8 hereby VACATED.

9 2. ~~These dates will be rescheduled after the Court has ruled on the~~
10 ~~Defendant's pending Motion to Dismiss.~~

11 The Case Management Conference is rescheduled for May 16, 2006 at 2:00 p.
12 m. The Joint Case Management Statement is due 5/8/2006.

13 SO ORDERED.

14 DATED: 4/12/2006, 2006

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17 By: 
18 The Honorable Martin J. Jenkins
19 United States District Judge
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